

 <p>SPOKANE COUNTY Regional Support Network Prepaid Inpatient Health Plan</p>	Policy Title: Consumer Access to Clinical Records		Policy # CS-31
	Signature: Signature on file		Revised: 08-30-07
	Christine Barada, Director Community Services, Housing and Community Development		Reviewed:
	Signature Date: Date		Signing by authority of Res. No. 2007-0038

Applies to: Internal External

References

45 CFR, 42 CFR,
WAC 388-865-0435,
RCW 70.02.080,
RCW 70.02.010,
RCW 70.02.030 (Amending WSR 06-11-166, filed 5/24/06, effective 6/24/06).
RCW 70.02.090 (3).

Scope

SCRSN/PIHP and contracted providers shall establish a process for consumers to access, review, and request to amend information contained in their clinical record. This process must adhere to Federal and State HIPAA and Privacy laws governing Protected Health Information or PHI, and established standards for consumer access to, authorized use of and/or release of PHI.

Policy

SCRSN/PIHP and contracted providers shall ensure that consumers have a process for accessing, reviewing and amending their clinical record. Consumers must request to review their clinical record in writing; reasonable accommodations may be made if applicable and the SCRSN Ombuds Office will be available to facilitate this process.

The SCRSN/PIHP and contracted providers must respond verbally and/or in writing to the request no later than fifteen business days after receiving the request.

The SCRSN/PIHP and contracted providers may deny access to information in whole or in part under the following conditions as stated in the RCW's:

1. Knowledge of the information would be injurious to the health of the individual;
2. Knowledge of the information could reasonably be expected to lead to the individual's identification of an individual who provided the information in confidence and under circumstances in which confidentiality was appropriate; i.e.: continuity of care or legal requirement.

3. Knowledge of the information could reasonably be expected to cause danger to the life or safety of any individual;
4. The information was compiled and is used solely for litigation, quality assurance, peer review, or administrative purposes; or
5. Access to information is otherwise prohibited by law.

Prior to the denial of a Consumer request for access to PHI, the contractor must ensure the consumer is informed of the right to select a different provider who will be permitted access to the clinical record, as per RCW 70.02.090.

Procedures/Mechanisms

1. Consumer, Legal Guardian, or Parent

1.1 Requests to review clinical record.

1.2 Completes a request to review clinical record, with signature, date and proof of identity. If copies are requested, the requestor is informed of any "reasonable fees" associated with "reproduction" of the clinical record as per the limitations imposed by the State of Washington.

2. Authorized Clinician / Authorized Designee

Receives request to review the clinical record.

Requests clinical record for review and determines whether compliance with request is appropriate.

Informs individual, parent or legal guardian in writing, if the clinical record has been destroyed or cannot be found, as appropriate.

Reviews the clinical record in order to identify and remove any information confidential to another person or third party information.

Schedules review within fifteen business days of request, unless has reason to believe the information may be harmful or injurious to the requestor. Access cannot be denied to records of medications and somatic treatment received.

After proof of identity is established, permits person(s) requested by the individual to also be present.

Instructs the individual how the clinical record is set up.

3. Consumer, Legal Guardian, or Parent

Disagrees with any information contained in the clinical record. A handwritten statement of correction may be added to the clinical record, but no information may be removed or deleted from the clinical record.

4. Authorized Clinician / Authorized Designee

Affixes signature and date to correction.

Submits correction to the provider clinical record department for filing.

Allows individual sufficient time and privacy to review the clinical record. At no time shall the clinical record be left unattended with the individual.

Provides clarification regarding clinical terms and abbreviations.

Documents and records the date and time clinical record was reviewed, released, amended and all participants, and if any clinical records were copied and or mailed or otherwise distributed. Retains and files the signed authorization for access to, or for release of information in the clinical record.

Returns clinical record to be filed.

SCRSN/PIHP and its network providers shall comply with the relevant CFR's, HIPAA, PHI, WAC's, RCW's and consumer access to their PHI, the authorized release of PHI and [RCW](#)

[70.02.010 \(15\)](#) "Reasonable fees" means the charges for duplicating or searching the record, but shall not exceed ninety six cents per page for the first thirty pages and seventy-three cents per page for all other pages; clerical fee shall not exceed twenty-two dollars.

Monitoring

This policy will be monitored through the annual contracted provider monitoring, with the appropriate recommendations, findings and/or corrective actions required in performance improvement projects.